

## **REMARKS / ARGUMENTS**

In complete response to the Office Action dated August 2, 2006, on the above identified application, reconsideration is respectfully requested. Claims 15-56 are pending in this application.

With this amendment, claims 18, 22-23, 30-34, 39, 43-44, and 48-50 are amended. The Specification has also been amended.

### **Claim Rejections Under 35 U.S.C. § 112:**

Claims 18-37 and 39-56 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Claims 18, 22-23, 39, and 43-44 have been amended to delete the word "compound" and replace it with the term "crystallographic structure".

Claim 30 has been amended to delete the word "the" and replace it with the term "said partial oxidation of light hydrocarbon mixtures occurs when an".

Claim 31 has been amended to include the expression "operating" temperature "of the catalyst".

Claim 32 has been amended to delete the word "the" and replace it with the term "said partial oxidation of light hydrocarbon mixtures occurs when an".

Claim 33 has been amended to include the expression "operating" pressure "of the catalyst".

Claim 34 has been amended to delete the word "process".

### **Claim Rejections Under 35 U.S.C. § 102:**

Claims 15-56 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Krumpelt et al. '315. Applicants respectfully submit that claims 15-56 are not anticipated by Krumpelt et al. '315, since fails to satisfy the requirements of 102(e) prior art.

The instant application has a filing date of October 13, 2003. This application claims priority to EPO Patent Application number 02 292 851.9 which has a priority date of November 15, 2002.

Published U.S. Patent Application number US 2004/0204315 A1 has a publication date of October 14, 2004 and a filing date of April 27, 2004. The above EPO patent application predates the filing date of the '315 application, and hence renders this document moot as a 102(e) reference.

The '315 application claims priority as a continuation-in-part of U.S. application number 10/423,461. The '461 application has a filing date of April 25, 2003. 0204315 A1 has a publication date of October 14, 2004 and a filing date of April 27, 2004. The above EPO patent application predates the filing date of the '461 application, and hence renders this document moot as a 102(e) reference.

The '315 application further claims priority, by way of the '461 CIP, to U.S. provisional application number 60/376,491. The '491 application has a filing date of April 30, 2002. However, the '491 application fails to disclose the formulas for the perovskite and Ruddlesden Popper structures as disclosed in the '315 application. Thus there is a failure of continuity of disclosure, and hence the '491 application is moot as a 102(e) reference.


Hence, the '315 document is an improper 102(e) reference, and the rejection should be vacated.

Appl. No. 10/712,691  
Attorney Docket No. Serie 6053  
Amdt. dated October 25, 2006  
Reply to Office Action of August 2, 2006

## CONCLUSION

Accordingly, it is believed that the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited. Should the Examiner believe a telephone call would expedite the prosecution of the application, he is invited to call the undersigned attorney at the number listed below.

Respectfully submitted,

  
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Date: **October 25, 2006**

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